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REMARKS

This is a full and timely response to the outstanding Office Action mailed May 8, 2006.
Claims 1-12 are pending.

I.   Present Status of Patent Application

Claims 1-12 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by
Wasilewski (U.S. Patent No. 5,418,782). To the extent that these rejections have not been
rendered moot by the cancellation of claims, they are respectfully traversed.

II.   Rejections Under 35 U.S.C. §102(b)

A.   Claims 1-6

The Office Action rejects claims 1-6 under 35 U.S.C. §102(b) as allegedly being
anticipated by *Wasilewski* (U.S. Patent No. 5,418,782). For at least the reasons set forth below,
Applicant respectfully traverses the rejection.

Independent claim 1 recites:

1.   A method for providing a program in a conditional access system, the method
comprising the steps of:

selecting a digital bit stream from a plurality of digital bit streams;

encrypting the selected digital bit stream according to a first encryption method to
provide a first encrypted streams;

*encrypting the selected digital bit stream according to a second encryption method
to provide a second encrypted stream;*

multiplexing the first encrypted stream, the second encrypted stream, and the
plurality of digital bit streams to provide a partially-encrypted stream; and

transmitting the partially-encrypted stream.

(Emphasis added).

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For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Wasilewski* (5,418,782) does not disclose, teach, or suggest at least **encrypting the selected digital bit stream according to <u>a second encryption method</u> to provide a second encrypted stream**. The Office Actions asserts that *Wasilewski* (5,418,782) teaches this element in Col. 4, lines 65-67. However, even if, arguendo, *Wasilewski* (5,418,782) discloses the encryption of a service component, it does not teach the encryption of that service component according to both a first encryption method and a second encryption method. Therefore, *Wasilewski* (5,418,782) does not anticipate independent claim 1, and the rejection should be withdrawn.

Because independent claim 1 is allowable over the cited references of record, dependent claims 2-6 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-6 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, since dependent claims 2-6 are patentable over *Wasilewski* (5,418,782), the rejection to claims 2-6 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2-6 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claims 2-6 are allowable.

B.   <u>Claims 7-12</u>

The Office Action rejects claims 7-12 under 35 U.S.C. §102(b) as allegedly being anticipated by *Wasilewski* (U.S. Patent No. 5,418,782). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

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Independent claim 7 recites:

7.   A method for providing a plurality of programs in a conditional access system, the method comprising the steps of:

selecting a plurality of elementary bit streams from a transport stream;

encrypting a portion of the selected elementary bit stream according to a first encryption method to provide a first encrypted stream;

encrypting the portion of the selected elementary bit stream according to a second encryption method to provide a second encrypted stream;

multiplexing the first and second encrypted streams and the remaining portion of the selected elementary bit stream with the transport stream; and

transmitting the multiplexed stream.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 7 is allowable for at least the reason that *Wasilewski* (5,418,782) does not disclose, teach, or suggest at least **encrypting the portion of the selected elementary bit stream according to <u>a second encryption method</u> to provide a second encrypted stream.** The Office Actions asserts that *Wasilewski* (5,418,782) teaches this element in Col. 4, lines 65-67. However, even if, arguendo, *Wasilewski* (5,418,782) discloses the encryption of a service component, it does not teach the encryption of that service component according to both a first encryption method and a second encryption method. Therefore, *Wasilewski* (5,418,782) does not anticipate independent claim 7, and the rejection should be withdrawn.

Because independent claim 7 is allowable over the cited references of record, dependent claims 8-12 (which depend from independent claim 7) are allowable as a matter of law for at least the reason that dependent claims 8-12 contain all the steps/features of independent claim 7. Therefore, since dependent claims 8-12 are patentable over *Wasilewski* (5,418,782), the rejection to claims 8-12 should be withdrawn and the claims allowed.

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Additionally and notwithstanding the foregoing reasons for allowability of independent claim 7, dependent claims 8-12 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claims 8-12 are allowable.

III.   Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

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CONCLUSION

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-12 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,
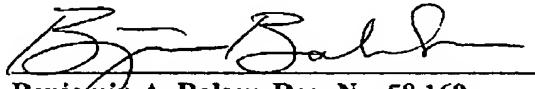
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